

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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FREDRICA BALLARD, et al.

Case No. 2:13-cv-0130-APG-NIK

Plaintiff.

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LAS VEGAS METROPOLITAN POLICE, et al,

ORDER ACCEPTING REPORT AND RECOMMENDATION REGARDING IFP APPLICATION

(Dkt. #'s 18, 19, 20, 21)

Defendant

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On October 18, 2013, Magistrate Judge Koppe entered her Report and Recommendation (Dkt. #21), recommending the denial of the renewed Applications to Proceed *In Forma Pauperis* filed by Plaintiff William H. Ballard (Dkt. # 18), Plaintiff Daniel D. Ballard (Dkt. # 19), and Plaintiff Fredrica C. Ballard (Dkt. # 20). Judge Koppe also recommended that Plaintiffs' claims be dismissed unless they pay the filing fee of \$350.00 within thirty days from the date that an Order denying Plaintiffs' Applications is entered. Plaintiff Fredrica Ballard filed an Objection (Dkt. #22). The Court has conducted a de novo review of the issues set forth in the Report and Recommendation.

Judge Koppe's Report and Recommendation sets forth the proper legal analysis, and the factual basis, for the decision. Plaintiffs allege in their proposed Complaint that they "had 61 marijuana plants growing inside the residence, on her own medical marijuana cards." (Dkt. #1-1 at ¶ 26.) In Plaintiff Fredrica Ballard's Objection to the Report and Recommendation, she refers to the marijuana growing equipment that was seized by Defendants. (Dkt. #22 at 1:27-2:4). But

1 Plaintiff does not address the numerous marijuana plants they possess, which could have
2 significant value. Therefore,

3 **IT IS HEREBY ORDERED** that the Report and Recommendation is accepted.

4 **IT IS FURTHER ORDERED** that Plaintiffs' renewed Applications to Proceed *In Forma*
5 *Pauperis* (Dkt. ## 18, 19, 20) are DENIED.

6 **IT IS FURTHER ORDERED** that Plaintiffs' claims will be dismissed without prejudice
7 unless they pay the filing fee of \$350.00 within thirty days from the date of this Order.

8 Dated: February 14, 2014.

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10 ANDREW P. GORDON
11 UNITED STATES DISTRICT JUDGE

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